

ROTHMAN, SCHNEIDER, SOLOWAY & STERN, LLP

Attorneys at Law
100 Lafayette Street, Suite 501
New York, NY 10013

FRANKLIN A. ROTHMAN
JEREMY SCHNEIDER
ROBERT A. SOLOWAY
DAVID STERN

Tel: (212) 571-5500
Fax: (212) 571-5507

RACHEL PERILLO
BY ECF

December 14, 2017

Honorable Alison J. Nathan
United States District Judge
40 Foley Square
New York, New York 10007

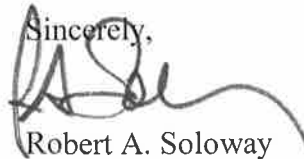
Re: United States v. Anthony Murgio
CR 15-769-AJN

Dear Judge Nathan:

On my and Brian Klein's behalf, we address the government's December 11, 2017 letter providing a final total for the NCUA asserted liquidation loss. *See* Dkt. No. 676.

As you know, on November 6, 2017, Anthony Murgio filed a document titled "Defendant's Notice of Appeal and Motion for New Trial." *See* Dkt. 650. In the filing, Mr. Murgio alleged that his district court counsel "provided ineffective assistance." Given such content, we were clearly conflicted from continuing to represent him. On December 6, 2017, I filed a motion in the Second Circuit seeking to have both Mr. Klein and I relieved as counsel. On December 7, 2017, the Second Circuit issued an order granting the motion, a copy of which is attached as Exhibit A. Mr. Murgio was notified of both the motion and the Order which issued. Today's filing by Mr. Murgio acknowledges his *pro se* status and this Court's order of today also notes the same. Based on the fact that we are no longer Mr. Murgio's counsel, we will not reply to the government's December 11 letter. Instead, we wanted the Court to know that we are forwarding the government's letter and co-defendant Trevon Gross's response to Mr. Murgio in case he wishes to address any of the issues raised by them in his *pro se* capacity. We request that the Court order the parties to serve Mr. Murgio with future filings directly by whatever means is deemed appropriate.

Thank you.

Sincerely,

Robert A. Soloway

RAS:sc